

11 December 2020

Mr Jason Lange
Executive Director
Office of Best Practice Regulation
Department of the Prime Minister and Cabinet
1 National Circuit
BARTON ACT 2600

ACMA file reference: ACMA2016//1239-8

Email: helpdesk-OBPR@pmc.gov.au

Dear Mr Lange

Certification of independent review: Planning the 3700–4200 MHz band

I am writing to certify that the independent review 'Planning the 3700–4200 MHz band' has undertaken a process and analysis equivalent to a Regulation Impact Statement (RIS). This review included publication of the following three papers, each of which advanced the review to a further stage of the ACMA's spectrum band replanning process:

- [Planning of the 3700–4200 MHz band: discussion paper](#), August 2019 (discussion paper)
- [Replanning of the 3700–4200 MHz band: options paper](#), July 2020 (options paper)
- Replanning of the 3700- 4200 MHz band: outcomes paper (expected release in mid-December 2020; draft attached)

I certify that these documents adequately address all seven RIS questions and is submitted to the Office of Best Practice Regulation for the purposes of a final policy decision.

I am satisfied that the scope of the problem and the recommendations identified in the certified review are substantially the same as the identified problem and recommendations in the policy proposal.

The regulatory burden to business, community organisations or individuals is quantified using the Australian Government's *Regulatory Burden Measurement* framework and is provided below.

The regulatory impact analysis show that the ACMA's preferred option is estimated to yield net benefits in the order of \$560m. I note that the implementation of this proposal will create regulatory costs as summarised in the table below. These expected costs stem from

incumbent fixed satellite services and point to point services potentially needing to relocate to other frequency bands or locations and either retuning existing equipment or purchasing new equipment to continue their operations.

Regulatory burden estimate table

Average annual regulatory costs (from business as usual)

Change in costs (\$ million)	Business	Community organisations	Individuals	Total change in costs
Total, by sector	\$7.6m - \$18.4m	\$	\$	\$7.6m - \$18.4m

Accordingly, I am satisfied that the attached report is consistent with the *Australian Government Guide to Regulatory Impact Analysis*.

Yours sincerely



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